

UNITED STATES BANKRUPTCY COURT
For The Western District of Michigan

in the matter of:

GARY A. MOX
860 Birchwood
Traverse City Michigan 49684
Debtor.

Case Number: GT 05-20941
Chapter Seven (7)
Honorable James D. Gregg
James W. Boyd, Trustee

Notice to Creditors and Other Parties in Interest of Hearing

YOU ARE HEREBY NOTIFIED THAT A HEARING will be held at the United States Bankruptcy Court, 3249 Racquet Club Drive, Logan Place West, (Off South Airport Road), **Traverse City, Michigan on Friday, Sept. 29, 2006 at 10:00 a.m.** to consider & act upon the following matter:

Trustee's Motion to Sell Personal Property
a copy of motion is enclosed

If you want the court to consider your views on this matter, attend the hearing on the date stated above.

Your rights may be affected. You should read the documents carefully and discuss them with your attorney. (If you do not have an attorney, you may wish to consult one.)

You or your attorney may wish to file a response to the motion explaining your position. Any response shall be filed with the clerk of the U.S. Bankruptcy Court, One Division Avenue, N.W., Room 200, Grand Rapids MI 49503, and should be received by the clerk at least 3 (three) days before the hearing date. A copy of your response should also be mailed upon the party filing the motion and his/her attorney.

If you or your attorney do not take these steps, the court may decide to grant the relief sought in the motion or petition, and may enter an order granting the relief requested.



Daniel M. LaVille, Clerk of Court

David G. Scalici, Deputy Clerk
Dated: 8-28-06

NOTICE IS HEREBY GIVEN THAT THE COURT MAY, in its discretion, orally continue or adjourn the above hearing on the record in open court. If this occurs, parties in interest will not be given further written notice of the continued or adjourned hearing. If an entity is not present at the originally scheduled hearing, information regarding the time, date and place of an orally continued or adjourned hearing may be obtained at the clerk's office from the court files or docket.

A copy of this notice and motion forwarded to noticing center for service on matrix.

**UNITED STATES BANKRUPTCY COURT FOR THE
WESTERN DISTRICT OF MICHIGAN**

In re:

GARY A. MOX,

Case No. GT05-20941

Debtor.

Chapter 7

MOTION TO SELL PERSONAL PROPERTY

PLEASE TAKE NOTICE that James W. Boyd, the duly-appointed Chapter 7 Trustee in this matter, by and through his attorney, A. Brooks Darling of the law firm Zimmerman, Kuhn, Darling, Boyd, Quandt & Phelps, PLC, states as follows:

1. This matter was filed under Chapter 7 of the Bankruptcy Code on November 9, 2005.
2. Property of the bankruptcy estate includes a 2005 Harley Davidson Sportster, VIN: IHD1CLP1X5K414084.
3. The Trustee intends to sell the personal property at public auction on October 1, 2006
at the auction facility of Century Asset Management, Inc., 191 West M72, Maple City, Michigan.
4. The Trustee believes that the sale will provide a dividend to creditors and is in the best interests of the estate.
5. The property shall be sold "AS IS, WHERE IS," without representation or warranty, expressed or implied, of any kind, nature or description, including, without limitation, any warranty of title or of merchantability, usability, or of fitness for any particular purpose.
6. This sale shall be conducted pursuant to 11 USC § 363, and the property shall be sold free and clear of all interests, liens and encumbrances. The Trustee is unaware of any liens against the property, however, to the extent that any such interests, liens or encumbrances exist, the same shall attach to the proceeds of the sale in their present order, rank, and priority.
7. A response, objection, or bid by a creditor or other party in interest may be filed prior to the hearing in writing with the United States Bankruptcy Court for the Western District of Michigan, One Division Avenue North, Room 200, Grand Rapids, Michigan, 49501, with copies of the same being served upon James W. Boyd, Trustee, 412 S. Union Street, Traverse City, Michigan, 49684.
8. Upon closing of the sale, the following will be paid from the sale proceeds:
 - a. Normal closing costs of sale, including auctioneer's commission of 10%.

- b. The auctioneer's out-of-pocket expenses, not to exceed \$525.
- c. Remaining funds will be paid to the bankruptcy estate and retained by the Trustee until further order of the Bankruptcy Court.

9. Any person who desires additional information may contact A. Brooks Darling, attorney for the Trustee, at (231) 947-7901 ex. 1.

Dated: August 23, 2006

/s/A. Brooks Darling

A. Brooks Darling (P26419)
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